

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE

UNITED STATES OF AMERICA *ex rel.*,
and THE STATE OF CALIFORNIA
ex rel., Richard Boudreau and Janine
Boudreau and
Tim Hendricks and Pat Hendricks,

Relators-Plaintiffs,

v.

CYRUS SORAT, HEALTH CARE
PHARMACY an unknown type of
business entity, VICIS CAPITAL, LLC,
MEDICAL SOLUTIONS
MANAGEMENT, INC., DEUTSCHE
MEDICAL SERVICES LLC,
MDWERKS, INC., TOM VAN AUCKEN,
HOWARD KATZ, CHRIS PHILLIPS,
LOWELL FISHER, and PHYSICIAN
DEFENDANTS 1-208 NAMED ON
EXHIBIT A,

Defendants,

and

GLOBAL HEALTHCARE RECOVERY
SERVICES, LLC,

Plaintiff,

v.

CYRUS SORAT, DEUTSCHE
MEDICAL SERVICES LLC, AND TOM
VAN AUCKEN,

Defendants.

CIVIL ACTION NO. 08-cv-0416-JAD

JUDGE DiCLERICO

ORDER

Following consideration of the Relators-Plaintiffs' Motion Relators-Plaintiffs' Motion to Dismiss Action Voluntarily and Without Prejudice, Pursuant to Fed. R. Civ. P. 41(a), With Assent of United States of America and State of California ("Motion"), and the written consent to such dismissal on the part of the Attorney General and the State of California, on whose behalf this action primarily was brought, the Court makes the following findings and rulings:

1. The United States and the State of California have declined to intervene in this qui tam action. The time to serve defendants has expired, and the case has been unsealed.
2. The Relators do not presently wish to litigate the stated claims against the defendants.
3. Dismissal of this qui tam action without prejudice is in the interests of justice for substantially the reasons stated in the Relators' Motion.
4. Dismissal of the action without prejudice is in accordance with Fed. R. Civ. P. 41(a) and 31 U.S.C. § 3730(b)(1).
5. The Court grants the Relators' Motion, and this action is hereby dismissed without prejudice and without costs to any party, effective immediately. The Clerk of Courts is directed to note the same on the docket.

IT IS SO ORDERED.

/s/ Joseph A. DiClerico
Joseph A. DiClerico
District Court Judge

Dated: December 17, 2012